

# HUSCH BLACKWELL

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## VIA E-MAIL ATTACHMENT

S. Michael Murphy  
Assistant Attorney General  
State of Wisconsin Department of Justice  
Room 114 East, State Capitol  
P.O. Box 7857  
Madison, WI 53707-7857

Re: *Clergy and Faith Leader Abuse Initiative*

Dear Mr. Murphy:

You told us yesterday that the Attorney General's office will be filing a motion to reopen the Archdiocese of Milwaukee's long-closed Chapter 11 bankruptcy proceeding as well as a motion to provide you and your office access to the proofs of claim that remain under seal. You asked us to provide the Archdiocese's position regarding these motions. Because you declined to share the motions you intend to file, the Archdiocese is not yet able to comment. However, we respectfully remind you that the Order approving the process for filing proofs of claim [Dkt. 331], including the protocols allowing claimants to file claims under the protective seal of the Bankruptcy Court, was agreed upon by the Creditors' Committee, attorneys for abuse survivors and ultimately the Bankruptcy Court well over a decade ago. Indeed, in Chief Judge Kelley's Order of July 14, 2011, the Court wrote: "The Confidentiality Protocol is for the benefit of the Abuse Survivors."

While the abuse survivors could have filed their claims on the public docket, approximately 98% of the 570 claims were filed under seal and off the public docket, relying on the Confidentiality Protocols approved by the Bankruptcy Court. These abuse survivors wanted their claims to be kept under seal. Therefore, each of these claimants has an interest in being heard on the motions the Attorney General intends to file—as does the Archdiocese.

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Finally, at this point, we note that the Attorney General's office had access to these proofs of claim during the pendency of the Chapter 11 and a request to review was never made. Currently, we see no basis for providing access to these Proofs of Claim at this late date. That said, once we review your papers, we will be in a better position to comment on the motions.

Sincerely yours,



Francis H. LoCoco

FHL/js

cc: His Excellency, the Most Reverend Jerome E. Listecki,  
Archbishop of Milwaukee  
Ms. Sharon Hanson  
General Counsel, AOM  
Dr. Barbara Anne Cusack,  
Chancellor, AOM  
Mr. Jerry Topczewski  
Chief of Staff to Archbishop Listecki